

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CASE NO. 5:21-sw-00058-JLT

IN RE: APPLICATION OF THE UNITED
STATES OF AMERICA FOR AN ORDER
AUTHORIZING THE INSTALLATION AND
USE OF PEN REGISTER AND TRAP AND
TRACE DEVICE.

ORDER AUTHORIZING THE INSTALLATION
AND USE OF PEN REGISTER AND TRAP AND
TRACE DEVICES

UNDER SEAL

ORDER

CHRISTOPHER D. BAKER, on behalf of the United States, has submitted an application pursuant to 18 U.S.C. §§ 3122 and 3123, requesting that the Court issue an Order authorizing the installation and use of a pen register and trap and trace device (“pen-trap device”) on **Target Telephone #1** described in Attachment A, which is incorporated into this Order by reference.

The Court finds that an attorney for the government has submitted the application and has certified that the information likely to be obtained by such installation and use is relevant to an ongoing criminal investigation being conducted by the HSI and DEA of unknown individuals in connection with possible violations of 21 U.S.C. §§ 841(a) and 846, distribution of and conspiracy to possess with intent to distribute controlled substances, and possession with intent to distribute controlled substances.

IT IS THEREFORE ORDERED, pursuant to 18 U.S.C. § 3123, that HSI and DEA may install and use a pen-trap device to record, decode, and/or capture dialing, routing, addressing, and signaling information associated with each communication to or from **Target Telephone #1** described in

Attachment A, including the date, time, and duration of the communication, and the following, without geographic limit:

- Source and destination telephone numbers;
- Source and destination email addresses, when the cellular device exchanges SMS or MMS messages with an email account; and
- Any unique identifiers associated with the cell phone device or devices used to make and receive calls with **Target Telephone #1** described in Attachment A, or to send or receive other electronic communications, including the ESN, MEIN, IMSI, IMEI, SIM, MSISDN, or MIN.

IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3123(c)(1), that the use and installation of the foregoing is authorized for sixty days from the date of this Order;

IT IS FURTHER ORDERED, pursuant to 18 U.S.C. §§ 3123(b)(2) and 3124(a)-(b), that AT&T and any other person or entity providing wire or electronic communication service in the United States whose assistance may, pursuant to 18 U.S.C. § 3123(a), facilitate the execution of this Order shall, upon service of this Order, furnish information, facilities, and technical assistance necessary to install the pen-trap devices, including installation and operation of the pen-trap devices unobtrusively and with minimum disruption of normal service;

IT IS FURTHER ORDERED that the HSI and DEA reasonably compensate AT&T and any other person or entity whose assistance facilitates execution of this Order for reasonable expenses incurred in complying with this Order;

IT IS FURTHER ORDERED that AT&T and any other person or entity whose assistance may facilitate execution of this Order notify the applicant and the HSI and DEA of any changes relating to **Target Telephone #1** described in Attachment A, including changes to subscriber information, and to provide prior notice to the HSI and DEA before terminating or changing service to the cell phone number;

IT IS FURTHER ORDERED that the HSI and DEA and the applicant have access to the information collected by the pen-trap devices as soon as practicable, twenty-four hours per day, or at such other times as may be acceptable to the HSI and DEA, for the duration of the Order;

1 IT IS FURTHER ORDERED, pursuant to 18 U.S.C. § 3123(d)(2), that AT&T and any other
2 person or entity whose assistance facilitates execution of this Order, and their agents and employees,
3 shall not disclose in any manner, directly or indirectly, by any action or inaction, the existence of the
4 application and this Order, the pen-trap devices, or the investigation to any person, unless and until
5 otherwise ordered by the Court, except that AT&T may disclose this Order to an attorney for AT&T for
6 the purpose of receiving legal advice;

7 IT IS FURTHER ORDERED that the Clerk of the Court shall provide the United States
8 Attorney's Office with three certified copies of this application and Order, and shall provide copies of
9 this Order to the HSI and DEA and AT&T upon request;

10 IT IS FURTHER ORDERED that the application and this Order are sealed until otherwise
11 ordered by the Court, pursuant to 18 U.S.C. § 3123(d)(1).

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13 Dated: June 9, 2021


14 Hon. Jennifer L. Thurston
15 CHIEF U.S. MAGISTRATE JUDGE
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1 **ATTACHMENT A**

2 The cellular telephone assigned call number 661-331-1431 (**Target Telephone #1**), subscribed to by
3 “Prepaid Customer” and whose service is provided by AT&T, a company headquartered at North Palm
4 Beach, Florida.
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